

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

JAN 08 2003

OFFICE OF
MANAGING DIRECTOR

Hiram H. Champlin, President
Champlin Broadcasting, Inc.
7210 N. Broadway Extension Ste 101
Oklahoma City, Oklahoma 73116

Re: Request for Waiver of FY 2002
Regulatory Fee
Fee Control No.: 0209248835851002

Dear Mr. Champlin:

This letter is in response to your request for waiver of the regulatory fee for Fiscal Year (FY) 2002 in the amount of \$3,125 filed by Champlin Broadcasting, Inc. with respect to FM station KMMZ, Enid, Oklahoma.

You recite that approximately a year ago you built a new tower for KMMZ and changed the station's format. You add that your regulatory fee payment has increased from \$1,325 to \$3,125 and that cash collections for the station in 2001 were \$60,723.34. Although you state that sales are growing, you request relief from the regulatory fee.

In establishing a regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. The Commission therefore decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), recon. granted, 10 FCC Rcd 12759 (1995). The Commission further held that regulatees can establish financial need **by** submitting:

[I]nformation such as a balance sheet and profit and loss statement (audited, if available), a cash flow projection . . . (with an explanation of how calculated), a list of their officers and their individual compensation, together with a list of their highest paid employees, other than officers, and the amount of their compensation, or similar information.

10 FCC Rcd at 12761-62

Hiram H. Champlin, President

2.

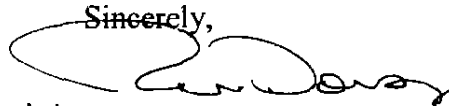
In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee's cash flow, as opposed to the entity's profits. Thus, although deductions for amortization and depreciation, which do not affect cash flow, and payments to principals, reduce gross income for tax purposes, those deductions also represent money which is considered *to* be available to pay the regulatory fee.

In the absence of appropriate documentation, you have failed to establish a compelling case of financial hardship for FY 2002. Therefore, your request for waiver of KMMZ's FY 2002 regulatory fee is dismissed.

In view of your allegations of financial hardship, however, KMMZ's request may be refiled together with appropriate supporting documentation within **30** days from the date of this letter.

If you have any questions concerning this letter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark A. Reger', written over the word 'Sincerely,'.

Mark A. Reger
Chief Financial Officer

Enclosure:
Form 159

0209.248835851002



ACCOUNT PROCESSING
COUNCIL-DPT/RPT/TMT

September 19, 2002

Office of the Managing Director
Federal Communications Commission
445 12th Street, S.W., Room 1-A625
Washington, D.C. 20554
Attn: Regulatory Fee Waiver/Reduction Request

Sirs:

Approximately a year ago we built a new tower ~~for~~ KMMZ and changed the format of the station. Our FCC payment has gone from \$1325.00 to \$3125.00. Our total cash collections on this station for 2001 were \$60,723.34. Our sales are growing but we would very much appreciate some relief.

Should you have any questions please don't **hesitate** to call **me** at 580-237-1390 ext. 61.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Champlin', is written over the typed name.

Hiram H. Champlin
President

HHC/sam

RECEIVED OCT 3 2002